ATTACHMENT I

LEVEL OF DETAIL FOR REMOVAL PROCEDURES

PROBLEM-WORK SCOPE-OPERATING PLAN

which contains sludges and contaminated soil.

is in the process of cleaning the basin and perimeter area. The hazardous waste sludges must be removed and routed to disposal in order to effect proper cleaning.

In present form, the sludge is not reusable. This sludge is in a form where treatment/stabilization is necessary in order for the material to be acceptable for transportation and disposal. In order for the sludge to be acceptable in a commercial hazardous waste landfill, the material must be treated to conform to the regulations promulgated by EPA effective May 8, 1985 (i.e. the resultant material must have load bearing capacity and must pass the paint filter test-the material cannot evidence the formation of free moisture when placed in a paint filter).

has requested consideration of treatment/transportation/disposal of 4,000 yd3 of sludge from the basin utilizing off-site disposal in a commercial hazardous waste landfill approved by State and EPA regulatory authorities.

In order to effect removal of the sludge from the New Oily Sludge Basin, plans to utilize a hydraulic driven sludge

2

pump that will slurry the solids, plus transfer the material from the sludge basin to a belt press dewatering operation. The basin sludge sample supplied by tested at 1.18 gr/cc specific gravity.

The sludge material was successfully agglomerated and belt press filtered utilizing a mixture of lime and a cationic polymer for solids agglomeration. Plans to utilize the 20% lime slurry to be provided by and will utilize a treatment level of approximately 15% as a preconditioning treatment. As a has indicated that the lime can be supplied in slurry form for this purpose.

Tests on the solids from the basin yielded a volume reduction varying from 43%-61%. For purposes of this project proposal, is utilizing a volume reduction of 50%.

The filtrate from the belt press dewatering operation will contain no oils (based on the test material). The filtrate will be returned to the water processing facilities of at a rate of 30-40 gpm. The filtrate will have been passed through a settlement tank or sand filter and will contain minimum suspended solids (<1.0%). The filtrate material will be utilized as belt press wash water, thus eliminating the need to add to the water loading for cleaning of the belt.

The several tests conducted on the sludge sample supplied by did not reveal an oil layer that was separable. Any contained oil apparently was stabilized and stayed with the resultant treated sludge.

The treated sludge material had a compacted density of 1.28

gr/cc. The resultant cake material was treated/stabilized utilizing cement. Requirements were <10 wt. % cement in order to treat the materials to the point passing the EPA regulations.

After treatment for stabilization, the treated sludge material is stacked to "cure" for 1-2 days prior to loading into the Bags. This curing time is necessary in order for the material to form a stabilized matrix. In the matrix, the organic materials are encapsulated and stabilized to the point where normal leaching will not remove the encapsulation and dissolve the contained organics. Following this period of curing, the treated sludge material is to be loaded into Bags and stored temporarily under plastic cover to prevent re-wetting from rain. The bags will be loaded onto transport equipment for movement to the barge.

When pumping the sludge from the New Oily Sludge Basin to the belt press, the sludge pump will be supported via long boom/jib cherrypicker to ensure slurring the entire contents of the basin to provide pumping of the materials from the basin to the sludge dewatering operation.

Measurement of the sludge processed will be based on:

- Total weight of filter cake = total pounds to disposal minus the weight of stabilization agent minus weight of lime solids minus bag weight.
 - a. Total pounds to disposal being weighed on the Sun Oil scale.

- b Weight of stabilization agent based on receiver tickets with weights checked on the scale.
- c. Weight of lime solids based on analyses of filtered solids and volume of slurry material delivered by
- d. Bag weight based on manufacturers spec with check on scale.
- The volume of filter cake = the total pounds of filter cake divided by the compacted density of filter cake.

The compacted density of filter cake is based on 's determination or determination by lab with several measurements being made for an average value.

- 3. The volume processed = volume of filter cake + volume of filtrate volume of lime water.
 - a. Volume of filtrate is based on metered filtrate routed to to for further processing.
 - b. Volume of lime water based on analyses of lime filtrate and volume of lime slurry material delivered by

ALTERNATIVELY

The measurement of the sludge processed can be based on cross section of the basin prior to processing and after processing, providing there are ample controls to prevent additional material being injected into the basin during the processing operation. During this processing, allowance will have to be made for any rainwater accumulated and which must be processed through the belt press operation for solids separation.

will utilize safety practices consistent with the definition provided in Section IV - "Safety-Security-Industrial Hygiene" of this project proposal. places heavy emphasis on Safety and Industrial Hygiene aspects of all projects in order to provide protection to our employees, employees of the customer, and control surrounding exposure.

will pump the 4,000 yd3 sludge volume, dewater the sludge with the filtrate being settled/filtered prior to return to for treatment in their on-site water treatment facility. Should an oil phase separate in the filtrate, this oil phase will be decanted and returned to for internal use.

The filter cake will be treated with cement for solidification at a ratio of 10 wt. & in order to provide a stable, dry, compactable material for placement in a commercial hazardous waste landfill.

type bags which hold approximately 1 1/2 tons per bag. The bags have lifting "eyes" that allow forklift movement to temporary storage. The mixing of the filter cake and cement stabilization agent will be accomplished utilizing a hydraulic excavator. After the "curing" period, the stabilized sludge matrix will be leaded into a hopper which feeds the opening on the bags. After

filling the bags, the bags will be tied securely in a closed position and transported to temporary storage for holding until the material is to be barge loaded and transported.

After filling, the bags will be transported to storage utilizing an all terrain forklift for bag movement. The bags will be stored in an area covered with plastic in order to prevent any possible contamination to the ground through bags rupturing or potential leakage. Removal and disposal of this plastic sheeting will be part of the area decontamination. The bags will be covered by plastic sheeting in order to prevent rewetting by rainwater during temporary storage prior to barge movement.

Transportation to the barges will be provided by tandem axle flatbed trailers. Is planning to utilize a double skinned, ocean going, covered hopper barge for transport of the bagged, stabilized waste material to mainland United States.

Based on the density of the filter cake, the planned loading from the 4,000 yd3 of basin sludge will be 2,600 tons.

Based on the stipulated excavation for the perimeter clean-up, the perimeter materials will constitute approximately 86 tons.

During the work phase, approximately 10-20 bags of the treated filter cake will be weighed in order to determine the approximate weight that is placed into each bag. This will allow an evaluation of the work performance by at any given point during the project.

For movement and ultimate disposal in the mainland United

States, the bags of treated sludge material will be moved from the temporary storage located adjacent to the work area. The bags will be loaded onto tandem axle, flat bed trailers for movement from the site to the dock where will load the materials aboard the covered hopper barges. During the truck loading operation, an all terrain forklift or a cherrypicker will be utilized for lifting the bags for placement onto the trucks. Each truckload of material will be weighed prior to movement for loading at the dock.

will take title to the material once it leaves the site. The barges to be utilized will be ocean going, covered, closed bottom hopper barges. These covered hopper barges are U S Coast Guard approved for transport of solid hazardous material. Operating under this mode of operation, the flatbed units that have been loaded with the bags will be loaded at the site, moved across private property to the dock where the material will be removed from the trucks and loaded onto the barges by The area of bag transfer will be plastic lined so that any spilled material can be cleaned and shoveled into bags, thus preventing any spillage into the water. The plastic sheeting will be picked up, packaged, and routed to landfill disposal.

Operating under this scenario, the barge loads of material will be manifested (Texas manifest) for movement to the Port of Corpus Christi, Texas. Although each load will be weighed, it will not be necessary to manifest each truckload of the material

loaded at the dock since the material will not be traveling across public highways. After unloading at Corpus Christi, each load will be weighed and a Texas manifest completed for movement of each load of material from the Corpus Christi dock to the Landfill at A copy of the barge manifest will accompany each truck manifest since the transporter will have changed, but not the generator or the TSDF facility.

At the unloading point, a lifting crane will be utilized to lift the loaded bags of material from the barges onto tandem axle dump trailers for movement to landfill disposal. The tailgates will be secured with chain and rachet binders or other suitable locking mechanism. The dump trailers will be covered with a tarpaulin for movement to landfill.

During unloading operations, the area of swing and where the trucks are parked, will be covered with plastic sheeting so any spilled material can be swept up by laborers and shoveled into the transport vehicles.

Any spillage inside the barge will be swept up with the barge left in a "broom clean" condition. All solid material inside the barge will be removed. Should spillage occur, following the broom cleaning of the barge, the barge interior will be commercially cleaned to remove any chemical contamination from the interior surfaces. All plastic sheeting will be removed and directed to landfill disposal.

These procedures have been reviewed with the port authorities at and Corpus Christi, TX, plus

reviewed and approved by the U S Coast Guard.

Barge transportation will be supplied by carries \$5,000,000 liability insurance which covers pollution protection on sudden and accidental releases. In addition, has made provision to secure an additional \$5,000,000 of water quality insurance for the barging operation-provided this insurance is available.

hazardous/toxic waste landfill fully approved by the State of and the Environmental Protection Agency. The landfill is operating on interim status.

FINAL CLEANING OF THE NEW OILY SLUDGE BASIN

walls and bottom after all the basin sludge and trash have been removed and treated for storage/disposal.

and brooms to clean the surface. Resultant sludge materials will be dewatered, it the filter equipment is still available, or solidified and treated for transportation/disposal. Any resultant filtrate and free basin water will be settled or filtered and routed to the water treatment facilities at

Water pressure up to approximately 800 psig can be used without damage to the gunite lining. Higher water pressure will damage the gunite lining. Operating under this mode, will

remove the solid materials from the basin, but will not be responsible for removing discoloration to the gunite lining.

prefers to operate on the basis that the basin side walls be cleaned as the sludge level is depleted through pumping.

TRASH REMOVAL FROM BASIN

has indicated that trash materials (hard hats, pipe, plastic, etc.) are present in the basin. has made provision in Section VIII-Pricing for the removal and disposal of this trash.

In addition, has included extra protection in order to protect against the trash materials getting into the impeller or onto the belt press. It is providing a 2" mesh opening screen to protect the suction of the pump. Should the trash materials be of a smaller diameter than 2", has provided for a shaker screen, receiver tank, and an added sludge pump so that any objects smaller than 2" can be removed. This action will prevent damage to the belt on the belt filter press.

Any solids removed by the shaker screen will be mixed with the filter cake and included with the material routed to disposal. Under Section VIII-Pricing, these pumpable trash materials have been included in the lump sum pricing. Due to the nature of the covering over the basin side walls, cannot ascertain as to whether or not cracks presently exist. will make all efforts consistent with good operating procedures, plus the direction and consultation of the Project Manager, to keep loads off the gunite surface. The slurry pump will be suspended with the load supported by the cherry picker. Present intention is only that personnel walk on the gunite surface. Based on the description provided to the structural integrity of the basin should be sufficient to accommodate this personnel loading.

If it proves necessary to have a rubber tired front end loader enter the basin, in order to remove the trash materials, will do so only after consultation with

will employ extreme measures in order to protect the gunite lining, but will not be responsible for cracks detected or cracks formed as a result of the change in stresses on the liner from the altered hydraulics of removing the sludge load from on top of the gunite liner system.

BASIN PERIMETER CLEAN UP

deep on the East side of the basin, and an area 6' wide and 6" deep on the West side of the basin. The has made provision to remove 86 tons of contaminated basin perimeter area, bag this material, and then move it through transportation and to secure disposal.

Replacement soil will be acquired from local sources and compacted in place. Original elevations will be maintained.

CONTINGENCY AND EMERGENCY

emergency plans in the event of a hazardous waste discharge.

The emergency plan will conform with all applicable legal and regulatory requirements and provide for the control and clean up of the discharge so that any hazard to heman health or the environment can be expeditiously eliminated.

In the event of a hazardous waste discharge of waste material occurring on company property, shall invoke it's own emergency plan to control and clean up the discharge. It is planned that both will cooperate fully in abating or eliminating hazards of any involved hazardous waste discharge.

WILL SUPPLY THE FOLLOWING TO

- 460 volt, 3 phase, 125 amp electric service to belt press operation within 100° of site to locate belt press.
- 2. 220 volt, single phase, 100 amp electric service to office and equipment trailer - within 100' of site to locate trailer.

- Sanitary water to fice trailer tie-in source.
- 4. Access to telephone, preferably a tie-in to the telephone system or assistance in obtaining telephone service while on site.

Alternative - Ready access to telephones on site for use during project.

PROJECT STAFFING

- Project Management
- Supervisor
 - s on site supervisor will be
- Laborers/Equipment Operators
 - will provide 5 laborers/equipment operators. These will be operators experienced in environmental remediation activities and will be brought from our operations on the mainland United States to operate the equipment and perform the environmental remediation activities required for this project.
- 4. Operation of Dewatering System

 The sub-contractor, will

 have five operators to operate the pumps and filter

 equipment on a 24 hour basis. These operators are

experienced in environmental remediation procedures.

These personnel will be brought from the mainland operations of

- Any transportation equipment in Any transportation equipment will be leased and operated by on site at
- 6. Labor for Cleaning New Oily Sludge Basin

 Up to six laborers will be utilized from local labor source for performing this work activity.

LIST OF SUB CONTRACTORS

BASIN REMEDIATION

THE RESERVE OF THE PERSON NAMED IN

NEW OILY SLUDGE BASIN

Dewatering will be performed by Kame

Address

Phone

Barging of treated sludge materials in covered hopper barges will be performed by

Address

Phone

Transportation and disposal from the barges will be provided by

and protected during shipment of the contamina should accidents occur.

tion projects, can be assu promulgated EPA regulations with regard to handlin tion, and disposal of the contaminated sludges.

Waste Management has been earned through customer
We work to fulfill the intent of the agreement a
stated scope. Our pledge is to leave the customer
mentally secure position through use of our service

and economically competitive action for this bas project.



*If the contract is awarded to performance resumes of these firms will be supplied to required.

TEMPORARY EQUIPMENT LIST

will plan to move the following equipment from the mainland United States to for use on the project.

- a. Contractor's Office Trailer
- b. Equipment, tool, and parts storage trailer
- Trailer with dewatering system
- d. Pick up truck and goose neck trailer for carrying the hydraulic driven sludge pump
- f. One ton truck and goose neck trailer for transporting polymer, hoses, and pumps auxiliary to the dewatering filter
- g. Two job pick-up trucks

The layout of the pumps, dewatering, so office trailer and tool trailer will occupy approximately one half acre on one side of the New Oily Sludge Basin.

PROCESS 4,000 YES - MOVE TO COMMERCIAL LAND FILL

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Closure	Schedule	for	New
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)				Closure Schedule for New
	AWING NO.		•	Months to Closure
	DRAWING		Work Program	1,2,3,4,5,6,7,8,9,10
			Phase I	
	+		Submit Intent to Close the NOSB to	*
			Prepare Bid Documents for Removal of Liquids and Sludges from the NOSB/Release for Bids	Contraction of the contraction o
,	VED BY		Phase II - Preliminary Closure Activities	
	CHECKED		Removal of Impoundment Sludges Test Underlying Soil and Evaluate	· "我们的一个人们的人。"
	1E 17/86		Groundwater Data for Presence of Contamina- tion	
)	BY 5.		Phase III - Final Closure Activities Documentation of Clean Closure or	
	DRAWN B		Preparation of Final Closure Plans Prepare Bid Documents for Closure	
			of the NOSB/Release for Bids Implementation of Closure Activities	
			Certification of Closure Activities and Final Closure Report Preparation	
ž)			Phase IV (if needed)	u v
		ź	Post-Closure Maintenance and Monitoring	

į

ily Sludge Basin (NOSB)

1, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II 26 FEDERAL PLAZA NEW YORK, NEW YORK 10278

OCT 24 1986

Dr. Jorge J. Fernandez Proteccion Tecnica Ecologica, Inc. Firm Delivery Ponce, Puerto Rico 00731

Re: Plan for Relocation of Wastes From Sanitary Landfill (Unit #6) Proteccion Tecnica Ecologica, (Proteco), Inc. EPA I.D. Number: PRD091018622

Dear Dr. Fernandez:

The Environmental Protection Agency has completed its review of Proteco's request to relocate the nonhazardous wastes from the Sanitary Landfill Unit #6. Conceptually, the Agency agrees with this plan. However, there are certain items that must be addressed before this plan can be approved.

Proteco should submit a detailed plan that clearly explains all steps involved in the removal of the wastes from the Sanitary Landfill (Unit #6), the classification of these wastes, the segregation of all wastes suspected of being hazardous, the transportation of the wastes, and the redisposal of these wastes in the Non-Hazardous Landfarm AC2 (Unit #14). An example of the level of detail required for removal procedures is given in Attachment I.

The Agency believes that the most critical part of these removal procedures involves the classification of wastes. It is the Agency's recommendation that the personnel involved in the classification of these wastes should have at least two years of relevant experience in waste classification.

Waste classification is an extremely important part of this operation since the Sanitary Landfill is known to contain small quantity generator waste. Proteco should take every effort necessary to ensure that all hazardous wastes and wastes composed of hazardous constituents are segregated and not redisposed in the Non-Hazardous Landfarm (Unit #14). Failure to segregate these wastes will result in the determination that the Non-Hazardous Landfarm accepted hazardous wastes without interim 3tat

To ensure the proper classification of wastes, please submit the resumes of all personnel involved in the classification and segregation of wastes to the Agency for review.

Please submit the requested information to the EPA by November 1, 1986. Upon review of this information, the Agency will make its final determination of this request.

If you have any questions regarding this matter, please feel free to contact John Gorman at (212) 264-5342.

Sincerely yours,

Richard M. Walka

Chief

Hazardous Waste Facilities Branch

Attachment

cc: Carlos R. Vazquez Director, Land Pollution Control Area, EQB w/attach.

Gary Brown, P.E. Project Manager Fred C. Hart Associates, w/attach.

bcc: John Gorman, 2AWM-HWF w/attach.
Richard M. Walka, 2AWM-HWF w/o attach.
Stan Siegel, 2AWM-HWF w/o attach.
Pedro Gelabert, 2AWM-HWF w/o attach.
Laura Livingston, 2OPM-PA w/attach.

Fred C. Hart Associates, Inc.





January 28, 1987

U.S. Environmental Protection Agency Region II 26 Federal Plaza New York, NY 10278

ATTN: Mr. Richard Walka, Chief Hazardous Waste Facilities Branch

RE: Unit 6 Closure Work Plan

Dear Mr. Walka:

As a result of a meeting last Monday with Mr. John Gorman and Mr. Barry Tornick of the Agency, it was agreed that we would provide a follow up letter to document several remaining issues. These are as follows:

- Waste Analysis The on-site lab will be used only for those parameters tested for typical incoming load analyses (pH, flashpoint, viscosity/specific gravity, cyanides and sulfides). All other parameters to be tested for will be run by E Q Labs, who will remain the designated laboratory for preacceptance waste analysis and groundwater monitoring program testing. The Interim Status Waste Analysis Plan (ISWAP) already submitted to the Agency spells out procedures; the ISWAP is in effect at the facility and will be followed for any potentially hazardous or hazardous waste streams identified during Unit 6 excavation.
- Tuna Sludge To minimize Agency concerns about decomposing tuna sludge waste, such waste will not be left exposed to sunlight. Where excavation is interrupted for more than 2 hours, daily cover (6" minimum) will be applied wherever such waste is exposed to sunlight.
- Testing of Waste In Advance The Phase 3 Work Plan already contains proposed test pit locations for Unit 6. We will adjust the schedule such that Unit 6 is sampled first when the Phase 3 work gets under way.



- Asbestos PROTECO will coordinate with EQB on the issue of friable asbestos being a listed "U" series hazardous waste. Since brake shoes were disposed of, we doubt if this category would apply, but it will be checked nonetheless.
- Magnetometer In the vicinity of Unit 6, power line interference is so severe that rotating the magnetometer axis had no effect. We therefore doubt that future magnetometer work in this area of the site would be useful.
- Schedule The project will be initiated several weeks following signing of the Consent Agreement. The follow-on Schedule will then be:

100	Mobilize for Phase 3 Work	2 Weeks
370	Conduct Sampling of Unit 6 and	
	Prepare Staging/Decontamination Areas	4 Weeks
-	Excavate Unit 6 and Separate/Classify	
	Potentially Hazardous Wastes - Dispose	
	of Non-Hazardous Wastes	2 Weeks
-	Receive Final Waste Analysis Results	
	and Manage Wastes Appropriately	2 Weeks
	Total	10 Weeks

We trust that the above responses provide answers to remaining issues and we look forward to receiving your approval to proceed with this work. Also, we will discuss with PROTECO the possibility of conducting test fill work toward the end of this project. Thank you for your continuing assistance on this project.

Very truly yours,

FREE G. HART ASSOCIATES, INC.

Gary R. Brown, P.E.

Manager of Major Projects

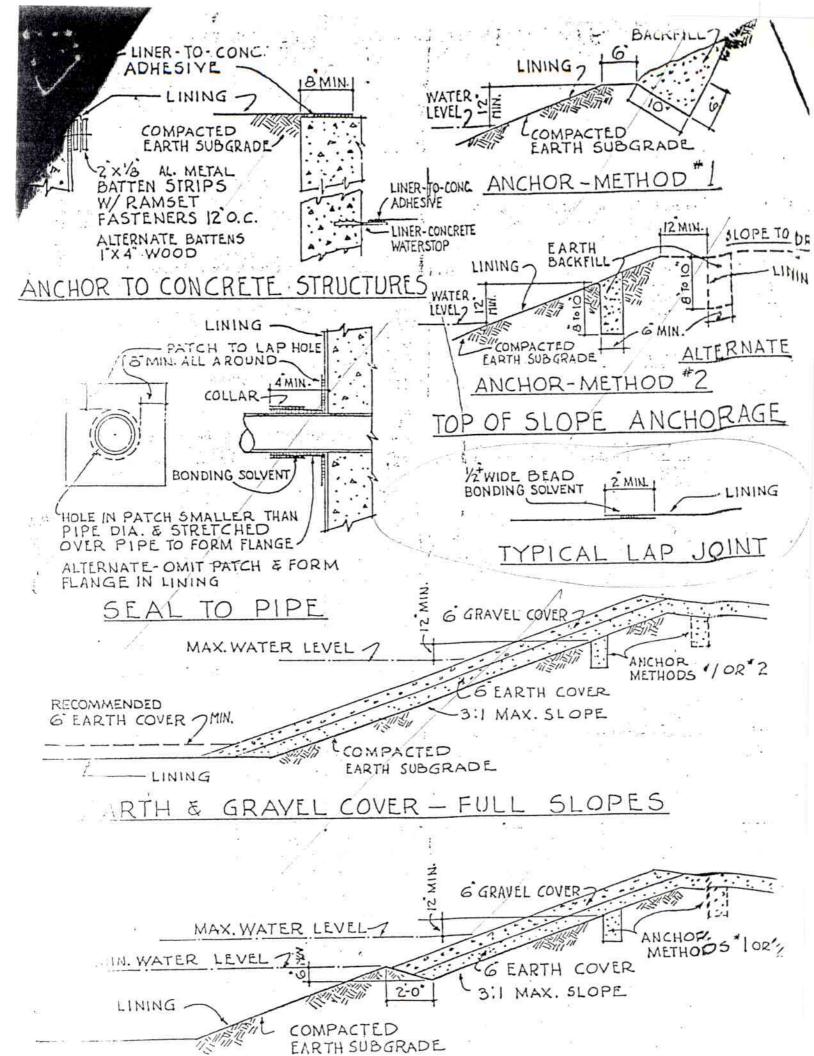
Associate

GRB/dmc (PRTEC002)

CC: C. Vasquez, EQB

J. Gorman, EPA

B. Tornick, EPA



Hart Engineers, Inc.



March 2, 1988

New York, NY Washington, DC Pittsburgh, PA Albany, NY Meriden, CT Cherry Hill, NJ Irvine, CA Southfield, MI Liberty Corner, NJ

Mr. John Gorman
U. S. Environmental Protection
Agency, Region II
26 Federal Plaza
New York, New York 10278

Subject: March 18, 1988 Meeting Regarding PROTECO

Dear John:

I would just like to confirm our scheduled March 18, 1988 meeting to be held in Region II's offices in New York, between Region II personnel and PROTECO representatives, and to communicate the topics that HART would like to include as a part of the meeting agenda. In order to avoid further delay of the current Closure and New Facilities Construction Schedule, HART would like to include the following items for discussion:

- the updated (February 26, 1988) Closure Plans and costs;
- accelerated closure of Units 9,13 and 17;
- infiltrometer testing as a means for providing an evaluation of hydraulic conductivity of site soils;
- the test fill plan; and,
- proposed facilities monitoring strategy vis-a-vis the use of soil lysimeters and/or soil vapor monitoring.

Additionally, HART will be happy to discuss Agency comments regarding the Phase III Soils Report or any other issues.



John, please contact me if you foresee difficulty in including any of the bulleted items for discussion during the meeting. Gary or I will contact you next week to choose a meeting time.

Sincerely,

HART ENGINEERS, INC.

Marcia Findlay Hydrogeologist

Gary Brown, P.E. Vice President

MF/pal

cc: Malcolm Field
Charlie Anderson
Dr. Jorge Fernandez
Hameed Elnaggar
Steve Gordon
Scott Blauvelt
Greg Banner

(L-P-148)

APR 28 1980

<u>Certified Mail</u> <u>Return Receipt Requested</u>

Dr. Jorge J. Fernandez
Proteccion Tecnica Ecologica, Inc.
64 Hipodromo Avenue
Santurce, Puerto Rico 00910

Re: Proteccion Tecnica Ecologica, Inc. (Proteco)
Notice of Deficiency (NOD)
Interim Status Closure Plans
Part B Permit Application
Ground Water Monitoring Plans
EPA I.D. Number: PRD091018622

Dear Dr. Fernandez:

The United States Environmental Protection Agency (EPA) has completed its review of the interim status closure plans submitted by Proteccion Tecnica Ecologica, Inc. (Proteco) (PRD091018622) on September 30, 1986 and the revisions submitted on February 26, 1988 and March 28, 1988.

Our review has shown that these closure plans are still substantially deficient and many of the comments that EPA has previously provided you (e.g., NoDs issued on 5/2/86 and 8/19/86) have not been adequately addressed. As a result, the submitted closure plans require substantial revision. Attachment I to this letter contains a comment sheet that describes the noted deficiencies found with these closure plans.

As additional guidance, please consider the following comments when responding to this NOD:

- The closure plans require major revision. An addendum or a simple response to our comments will not be sufficient.
 - The closure plans must contain <u>DETAILED</u> information, descriptions, procedures, and designs. As with previous submittals that have been deemed to be deficient, the latest closure plans provide only conceptual and general information.

RECEIVED

The closure plans should be considered as independent, stand-alone documents; they should not rely on a series

of other documents submitted for proposed units or other interim status requirements.

- The closure plans must be written on a unit-by-unit basis.
- The closure plans must provide a closure scenario that is capable of being implemented immediately (<u>i.e.</u>, without the assumption of new units being available). If Proteco wishes, it can also submit a second set of closure plans for EPA's consideration that rely on proposed new permitted facilities for implementation and completion of closure activities. Under no circumstances does this option relieve Proteco of its obligation to submit a primary closure plan that can be implemented now (<u>i.e.</u>, addresses either closure in place or off-site treatment and disposal of all containerized and excavated wastes).
 - If Proteco chooses to submit this second set of closure plans, they must be accompanied by adequate and appropriate justifications to delay closure until these proposed units are permitted and persuasive evidence that these proposed new units will be available when required for closure. This persuasive evidence must include:
 - A demonstration of compliance with all financial assurance and liability insurance requirements at the time of closure plan submittal;
 - A demonstration of compliance with liner/waste compatibility requirements;
 - A demonstration of compliance with all ground water monitoring requirements for both existing and proposed units, including: number and location of wells, adequate hydrogeologic characterization, adequate sampling and analysis plans, and adequate characterization of any plumes.
 - Corrective action plans for all prior releases (developed in accordance with the model RFI scope of work that was previously provided to Proteco); and

A firm schedule for implementation of the closure plans and construction of the new units along with proof (e.g., signed, irrevocable contracts) that financing has been obtained and that work will proceed in accordance with the proposed schedules. The schedule should assume that construction of the new units will begin upon permit issuance.

In order for EPA to consider a closure scenario that relies on proposed new units, Proteco must also concurrently submit a complete, technically adequate Part B permit application for these proposed units. Attachment II to this letter describes the deficiencies that must be addressed for the previously submitted Part B permit application to be considered complete and technically adequate.

In any event, Proteco must submit a revised, adequate Part B permit application that eliminates all noted deficiencies (i.e., all deficiencies listed in Attachments II and III), including ground water monitoring and a demonstration of compliance with financial assurance and liability insurance requirements, within 60 days from the date of this letter. If this is not done, EPA will initiate proceedings for permit denial and termination of interim status for all existing and proposed units. Permit denial will be based on Proteco's failure to submit a complete permit application and failure to demonstrate compliance with financial assurance and liability insurance requirements.

Any contemplated design changes (e.g., the addition of incineration, replacing the proposed leachate impoundments with tanks, etc.) or changes necessitated by new or revised regulations (e.g., Proteco's proposed plans for stabilization of all wastes is no longer appropriate since stabilization is not an appropriate treatment method for many waste codes under the land disposal restrictions rule) must be included in this revision.

Attachment III to this letter describes the ground water monitoring activities that must be addressed or implemented in order for EPA to determine the adequacy of the submitted closure plans and Part B permit application.

For all comments that relate directly to the adequacy or implementability of the interim status closure plans, Proteco is required to submit a complete response to EPA within 20 days of the date of this letter in accordance with the terms of the Consent Decree. Failure to adequately respond to these comments within the mandated timeframe will result in a determination that Proteco is in non-compliance with the Consent Decree and

imposition of the specified stipulated penalties for non-compliance.

If you have any technical questions regarding these comments, please contact John Gorman at (212) 264-2621. Any other questions or comments should be directed to Amy Chester, Office of Regional Counsel, at (212) 264-3348.

Sincerely,

William J. Muszynski, P.E. Acting Regional Administrator

Attachments

cc: Steve Gordon, Beveridge and Diamond w/attachments John Claypool, Hart w/attachments Santos Rohena Betancourt, EQB w/attachments Flor del Valle, EQB w/attachments

bcc: John Gorman, 2AWM-HWC w/attachs.
Steve Knight, 2AWM-HWF w/attachs.
Laura Livingston, 2PM-PAB w/attachs.
Amy Chester, 2ORC-WTS w/attachs.
Joel Golumbek, 2AWM-HWC w/attachs.